

## MEETING RECORD

**NAME OF GROUP:** HISTORIC PRESERVATION COMMISSION

**DATE, TIME AND PLACE OF MEETING:** Thursday, February 15, 2001, 1:30 p.m., Conference Room 106, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

**MEMBERS IN ATTENDANCE:** Jerry Berggren, Tim Francis, Bruce Helwig, Jim McKee and Bob Ripley; (Judy Cherry and Carol Walker absent). Ed Zimmer and Teresa McKinstry of the Planning Department; and other interested citizens.

**STATED PURPOSE OF MEETING:** Regular Historic Preservation Commission Meeting

Chair Ripley called the meeting to order and requested a motion approving the minutes for the meeting held January 18, 2001. Motion to approve made by McKee, seconded by Berggren. Motion to approve carried 5-0: Berggren Francis, Helwig, McKee and Ripley voting 'yes'; Cherry and Walker absent.

The opportunity was given for persons with limited time or with an item not appearing on the agenda, to address the Commission. No one appeared.

**APPLICATION BY HISTORIC PRESERVATION COMMISSION ON BEHALF RAPE/SPOUSE CRISIS CENTER FOR LANDMARK DESIGNATION UNDER LINCOLN MUNICIPAL CODE (LMC) 27.57 AND A SPECIAL PERMIT UNDER LMC 27.63.400 FOR THE PACE HOUSE AT 2545 "N" STREET**  
**PUBLIC HEARING:** February 15, 2001

Members present: Berggren, Francis, Helwig, McKee and Ripley; Cherry and Walker absent.

Ripley noted that the applicant was not present. Ed Zimmer has discussed revising the site plan with the Dave Johnson, but has not yet received a new drawing.

McKee stated that Mr. Zimmer could review the final placement of the fence. Approval could be conditional. The other Commissioners agreed.

No one appeared and public hearing was closed.

**ACTION:**

McKee made a motion for approval with the condition that the applicant submit a revised site plan showing the relocated fence in the east yard, retracted to the southeast corner of the kitchen, seconded by Berggren. Motion for approval carried 5-0: Berggren, Francis, Helwig, McKee and Ripley voting 'yes'; Cherry and Walker absent.

**APPLICATION BY RAY LINEWEBER FOR AN AMENDMENT TO SPECIAL PERMIT 1165A FOR HISTORIC PRESERVATION, PERTAINING TO THE NOBLE-DAWES HOUSE, 1301 "H" STREET**

**PUBLIC HEARING:**

**February 15, 2001**

Members present: Berggren, Francis, Helwig, McKee and Ripley; Cherry and Walker absent.

Mr. Zimmer explained that this is the first step of a special permit amendment that addresses the site. He does not see a significant preservation issue involved.

Ray Lineweber explained that he is adding the remainder of Lot 5 to the landmark special permit. He purchased some antique wrought iron fencing, a picture of which was provided in the agenda. Low foliage will be placed in front of the fence. The property next door wants to build a parking lot. He wants to screen his property from this use.

McKee wondered what the neighbor thought about the fence. Mr. Lineweber replied that they have a great working relationship with everyone in the neighborhood, except that neighbor.

Helwig inquired if the merits of the fence are being reviewed today. Mr. Zimmer replied that was his interpretation. Additional wrought iron fencing will be installed.

Berggren wondered when the landmark special permit was granted, was it based on the association with Dawes? Mr. Zimmer replied that the significance is primarily Dawes connection to Lincoln. The house also has some architectural character. This property couldn't qualify for the National Register on the Dawes connection. It did qualify for a local landmark designation. Dawes was a significant historic figure and this house is the site which is most strongly associated with his Lincoln years.

Berggren asked if we know what used to occupy the lot to the east. Mr. Zimmer believes there was a house there.

Mr. Zimmer stated that this would change the property associated with the special permit. He does not envision changing the property associated with the individual landmark designation. Ripley noted that this is a special permit issue. McKee stated that this is only coming through Historic Preservation Commission because it is a landmark.

Francis wondered if the neighbor to the east can put up a wooden board fence. Mr. Zimmer replied that Capitol Environs would be involved, but theoretically, the neighbor could put up a fence.

Mr. Lineweber is worried about the cars in the neighbor's parking lot, hitting his fence. The parking will be angle parking.

Berggren wondered what the status of the neighbor's parking lot is. Mr. Zimmer believes that it should have come through Capitol Environs, but he doesn't remember seeing it. Mr. Lineweber stated that the parking lot was approved by Building and Safety in December of 1999.

No one else appeared and public hearing was closed.

**ACTION:**

McKee made a motion for approval, seconded by Francis.

Berggren is uncomfortable with the process. It is not very clear cut in terms of preservation. He would like to say that a wrought iron fence is of no material effect.

Mr. Lineweber stated that the Commission should know that there has been an attempt by the land owner to the east, to obtain a restraining order and it was denied by a judge.

Mr. Zimmer stated that the fence can be no material effect, but the process of landmark special permits is pretty clearly laid out. It starts here and goes on to the Planning Commission, and then finally the City Council. He can't adjust the property covered by this landmark special permit, without starting here. The action being taken is stating that the addition of the fence is consistent with the character of the house and site.

Ripley inquired if the apron of concrete will be taken out from the applicant's fence to the property line. Mr. Lineweber replied that the fence will be on the property line, with the strip of vegetation on his side of the fence.

Mr. Zimmer stated that there have been serious efforts to find middle ground with the neighbor. Berggren noted that in the event that this becomes a problem, do we have a leg to stand on as to why this wasn't done in the first place? This was originally based on a lease arrangement. Mr. Zimmer replied that this was granted and then amended.

Landmark special permits state very clearly that parking is an issue. It can be provided on site or off site, with a lease.

Berggren noted that with the fence in place, are there a legal number of parking spaces on site. Mr. Zimmer replied that the special permit would state how many spaces are on the property. A special permit is a permit for special conditions.

Motion for approval carried 5-0: Berggren, Francis, Helwig, McKee and Ripley voting 'yes'; Cherry and Walker absent.

**STAFF REPORT:**

- There was an informal discussion of old highway markers around the city/county.
- Abby Davis has been doing work on WPA interviews. 25 of the interviews have been done by one African-American man. There is enough body of information for publishing. Mrs. Foley has been giving a living commentary. There was a 95<sup>th</sup> birthday party for Mrs. Foley a few weeks ago. Mr. Zimmer gave a slide show about her.
- The Historical Society is doing a highway study this year. He believes it is in conjunction with the State Dept. of Roads.

There being no further business, the meeting was adjourned at 2:30 p.m.